

North Carolina  
Department of Crime Control and Public Safety

# **Governor's Crime Commission**

***2010-2013***

## ***Violence Against Women State Implementation Plan***



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## **I. Introduction**

The Violence Against Women Act, known as VAWA, is a comprehensive legislative package designed to end violence against women. It was established in 1994 and was reauthorized in both 2000 and 2005. The legislative history of VAWA indicates that Congress sought to remedy the legacy of laws and social norms that serve to justify violence against women. The Office of Violence Against Women, OVW, was created to implement VAWA and subsequent legislation that govern federal funding to the states.

There are many grant solicitations available through OVW to state governments, local governments and direct service providers in local communities. On behalf of the State of North Carolina, The Governor's Crime Commission, NC GCC, has provided this implementation plan to assist those who seek both STOP formula funding and discretionary funding to develop effective programming consistent with the spirit of VAWA, and, to meet the service needs of victims of domestic violence, dating violence, sexual assault and stalking, while improving the response of the criminal justice system.

STOP formula funding, through the Governor's Crime Commission, has funded many programs to improve the response of law enforcement, prosecution, courts and direct services for victims across the state. The following plan is intended to guide programs and government entities in the future, to identify the needs and challenges of local governments, and to assist human service providers. Although the social and demographic landscape of NC is ever-changing, women and their children, consistent with national and global trends, remain the most vulnerable populations to violence. The Governor's Crime Commission strives to distribute STOP funding across the state by

making the application process accessible to every eligible community. Grant funds will be awarded through a competitive grant award process that considers need, geography, population data, and the statutorily proscribed purpose areas of domestic violence, dating violence, sexual assault and stalking within law enforcement, prosecution, courts and victim service providers. The planning team advises North Carolina non-profit agencies, state agencies and local governments to reference this plan when submitting an application for discretionary grant funding directly to OVW and when applying to the NC GCC to ensure a coordinated community response to end violence against women. Grant applications at both the state and federal level should be in accordance with this plan.

The state plan is outlined in the following table of contents:

## **Table of Contents**

<b>I Introduction.....</b>	<b>1</b>
<b>II Description of Planning Process.....</b>	<b>4</b>
<b>III Needs and Context.....</b>	<b>6</b>
<b>IV Plan Priorities and Approaches.....</b>	<b>14</b>
A. Identified Goals.....	14
B. Relation to Prior Implementation Plans.....	22
C. Priority Areas.....	36
D. Grant Making Strategy.....	42
E. Addressing the Needs of Underserved.....	46
F. Barriers to Implementation.....	50
E. Monitoring and Evaluation.....	51
<b>V Conclusion.....</b>	<b>52</b>
<u>Attachment A</u> Members of the VAWA Implementation Team	
<u>Attachment B</u> NC Crime Commissioners	
<u>Attachment C</u> Grant Cycle Timeline	
<u>Attachment D</u> Scoring Criteria	
<u>Attachment E</u> Letters of Support	
<u>Attachment F</u> Miscellaneous; Basic Services Requirements	

## **II. Description of Planning Process**

Gathering information from the local level is a critical part of the planning process. As a broad overview of the planning process, the Governor's Crime Commission utilizes a community-based approach. The planning process is dedicated to assisting communities and local governments develop comprehensive strategies to respond to violence against women crimes in their own communities using VAWA funding. Key stakeholders, such as community decision-makers, local governments, service providers and victims come together through the Crime Victims' Services Committee to identify necessary services, gaps in service delivery and specific issues that women, as victim/survivors, face in their local communities. In this manner, locally elected officials, criminal justice practitioners, allied service providers and a variety of community leaders are engaged and committed to the process. These local communities are called upon, through committee work, to develop and implement action plans that address violence against women and to innovate where services are lacking.

The Committee that develops and implements plans to address violence against women is the Crime Victim's Services' Committee. It is a representative voice of the local community that is brought forth to the larger governing body; The Governor's Crime Commission. As a subcommittee to the Crime Victims' Services Committee, the VAWA planning team (also known as the Domestic Violence/Sexual Assault subcommittee) specializes in planning for the allocation of funding according to the mission of The Violence Against Women Act. The DV/SA subcommittee represents professionals in advocacy, law enforcement, prosecution, courts as well as cultural

groups and special communities. Further, these allied professionals; both criminal justice and human service professionals bring information from their local communities across North Carolina, to the Crime Victim Services Committee, in an effort to coordinate services and also to ensure the accountability of VAWA dollars.

Within the committee context, funding priorities are set based on need and federal statute. As this team expands to represent a diverse and changing North Carolina, often times funding priorities can reflect those changes. New members, such as non-profits and government entities, represent NC's changing cultural climate as well as the changing need for services. GCC Planners help to identify emerging and/or changing cultural groups and committee representation based on information reported from the field and census data. To better understand the changing cultural needs of victims, the Team also researches and guides recommendations for legislation and/or policy change as they relate to victims, such as the special needs of certain underserved populations.

Members of the VAWA Implementation Team are detailed in a chart and are referenced in **Attachment A**. Staff to this team consists of three planners; one lead planner and two additional planners, and three crime victim service grants manager specialists. The grants manager specialists are the fiscal managers who specialize in assisting non-profits and governmental agencies to reach their goals and objectives while serving victims with accountability and fiscal responsibility. Both Planners and Grants Managers have the support of the Governor's Crime Commission Statistical Analysis Center, GCC staff, GCC administrators, as well as, the support through the larger department as a division of: Crime Control and Public Safety.

The VAWA planning team meets quarterly and invites specific NGO's, as well as, government entities to share their successes and challenges of the populations they serve. Presenters are expected to illustrate the specific needs of those populations such as the needs of; the disabled, those in rural NC, those who experience language and cultural barriers to service, tribal populations and age specific groups such elderly and teen victims. Each underserved population demonstrates a unique need outside of mainstream services. Raising awareness about the challenges victims experience is a first step to creating long-term, meaningful change. Many, who once shared their experiences as practitioners and/or as victims, with the committee, have come to advise the larger committee as permanent members. In addition, some DV/SA members are also NC Crime Commission Members. As mandated in NC General Statute 143B-478, **Attachment B**, the statute governs the creation, composition and terms of the NC Governor's Commission. The governor appoints crime commission members as outlined in the statute, of which, members serve on both the Crime Victims Services Committee and the DV/SA planning committee or VAWA planning committee.

### **III. Needs and Context**

***Demographics*** North Carolina is a geographically large, diverse and heavily populated state. The US Census estimates that the July 2008 NC population was 9,222,414, moving NC from the 11<sup>th</sup> most populous state (2000) to the 10<sup>th</sup> (2008). NC is 65% urban and 35% rural compared to the national distribution of 84% urban and 16% rural (Kaiser Family Health Foundation). In 2007, the U.S. Census estimated that the racial makeup of North Carolina was as follows: 70% White American, 25.3% African-American, 1.2%



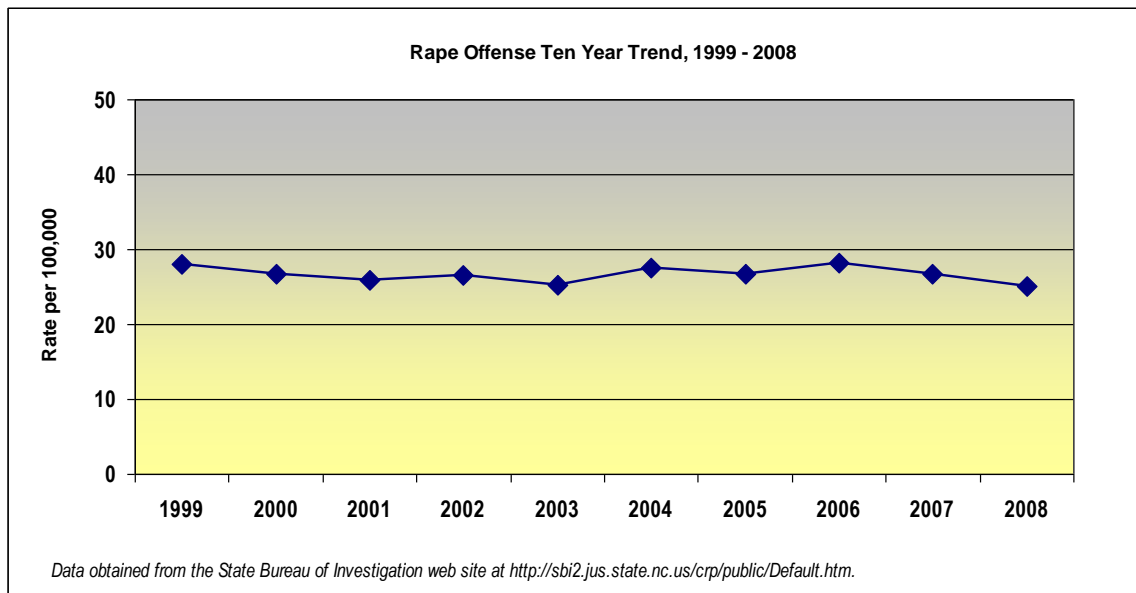
American Indian, and the remaining 6.5% Hispanic or Latino (of any race). Since 1990, the state has seen an increase in the number of Hispanics/Latinos. The Latino population has grown from 77,726 in 1990 to 517,617 in 2005, an average increase of 13.5% per year.

NC poverty rates are consistently above US rates. Thirty-five percent (35%) of NC individuals are 200% or more below the federal poverty level (US rate is 31%). Poverty rates for white North Carolinians (10.4%) are close to the US rate (10.5%). When data for people of color are examined discrepancies begin to appear- African Americans, NC 26.1% and US 25.3%, and Hispanic or Latino, NC 25.5% and US 21.5%. Of those reporting two or more races in NC, 20.5% are below the poverty level compared to 16.8% in the US as a whole. In NC, 16.2% of women (14.7% US) and 13.1% of NC men (11.9% US) are below the poverty level. (2006 Census American Community Survey)

### ***The Prevalence of Rape, Domestic Violence, Dating Violence and Stalking***

According to the North Carolina State Bureau of Investigation's July 2009 Uniform Crime Reporting Data, the overall rate (per 100,000) of violent crime (murder, rape, robbery and aggravated assault) has decreased 1.3 percent statewide. When reviewing the individual incidents of rape, the UCR tells us that there was little change with 2,234 reported incidents of rape in 2008 and 2,230 reported incidents in 2009 (*Crime in NC, Annual Summary Report of 2008, 2009 NC Dept of Justice, SBI*). In recognizing the limitations of the data, these rates may not accurately reflect the problem of violence against women. Some of the limitations include; the number of victims who actually reported to police, as well as, how the crime is defined by first responders and the manner in which the crime is documented. Also, it is important to note that the UCR reports the highest offense

committed in any given situation that may have involved several violent acts. Trend data shows the rate of rape to be relatively unchanging from 1999 to 2008.



When considering that North Carolina's population has increased by approximately 14% from 1999 to 2008, the rate of rape has shown little change. North Carolina rape crisis centers, and other victim service providers, consistent with national victim-survey data, agree that many rape/sexual assault victims do not report to police (*BJA, 2000 victimization survey data*). In the FY07/08 reporting period to the North Carolina Council for Women (NC CFW), NC Sexual Assault programs answered 22,671 crisis calls and helped 7,827 victims of sexual assault through seventy-five rape crisis lines across NC. Of the total number of assaults, 25% were child sexual offenses (under 18). Adult rape accounted for 1,841 and date rape accounted for 644 of the assaults. Many agencies that collect and report victim data in NC, report that women account for 90% of the rape crisis calls. The NC Office of State Budget Management projects NC's population to continue to increase by approximately 17% over the next 10 years. Given the increase in population, sex crime report levels that remain unchanging may call into

question the availability of adequate services or responses to victims, since increases in population usually show some effect on reporting levels and/or crisis calls.

The NC CFW also reports on the relationship of the perpetrator to the rape/sexual assault victim. Many, roughly one-third, knew their perpetrator. The NC CFW data shows, in 2006-2007, that 36% of the offenders were a relative and 31% an acquaintance. Those who reported the perpetrator as a stranger were the smallest in number (.062%). According to the Health Profile of North Carolinians May 2009 update, published by the Department of Health and Human Services, the number of victims who knew their perpetrator was even higher. Where the relationship to the offender was reported, the majority of clients (82%) reported that the offender was known to them-either a relative, acquaintance, or a boy/girl friend.

Domestic Violence continues to top the number of crisis calls reported by the NC Council for Women. In FY 2007-2008 (the year for which the most recent data is compiled), the NC domestic violence service provider programs responded to 101,076 crisis calls and provided shelter to 10,380 women and children. More than 1,000 others were turned away due to lack of space. In addition, 41,939 individuals were assisted with court and legal issues. Women comprised 85% of the total survivors and men comprised 15%. Children were 46% of the shelter residents. (NC Council for Women/Domestic Violence Commission)

The NC Uniform Crime Statistics Report notes that there were 32,530 50B civil protection orders filed in the 2006-2007 fiscal year. In 2008 the number increased to 32,581 (NC Administrative Office of the Courts) and increased again to 33,622 in 2009.

There were 869 charges of misdemeanor stalking and 66 charges of felony stalking in North Carolina in 2008 (NC Administrative Office of Courts). Estimates on the prevalence

of dating violence come from the US Dept. of Justice, Centers for Disease Control and Prevention and Liz Claiborne Inc. teen dating violence survey: 1 in 5 high school girls is physically or sexually hurt by a dating partner (approximately 53,000 girls in NC); 1 in 3 teens experience some kind of abuse in their romantic relationships (approximately 180,000 teens in NC) and only 33 % of teens who have been in or known about an abusive dating relationship report having told anyone.

### ***Approaches to Address DV, Dating Violence, SA and Stalking***

The NC CFW reported that local programs presented (4,801) educational and **professional trainings** to service providers and CJ professionals in 2008 (NC Council for Women/Domestic Violence Commission)

To address the prevalence of domestic violence, dating violence, sexual assault and stalking, the DV/SA planning team has **convened allied professionals** such as the NC CFW, to share current statistics and expertise from the field. This team also brings forth issues that have the potential to impact service providers and victims alike through the legislative process.

In 2009, **legislative changes** enhanced the process of domestic violence remedies to victims and opened the discussion for future enhancements. A description of the new laws can be found in the proceeding sections.

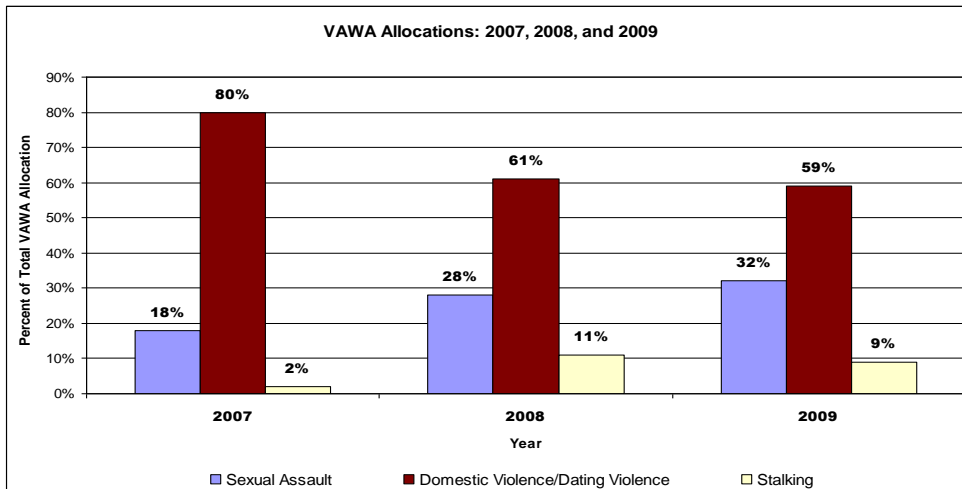
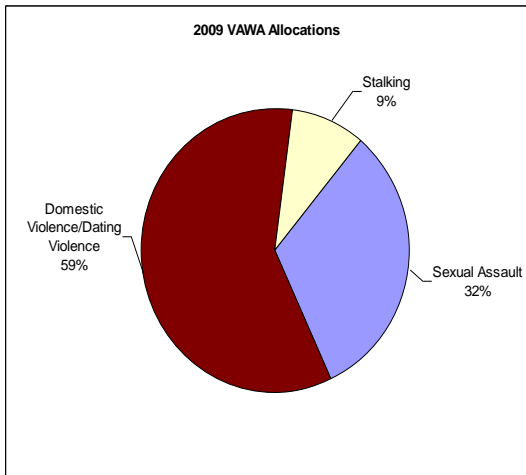
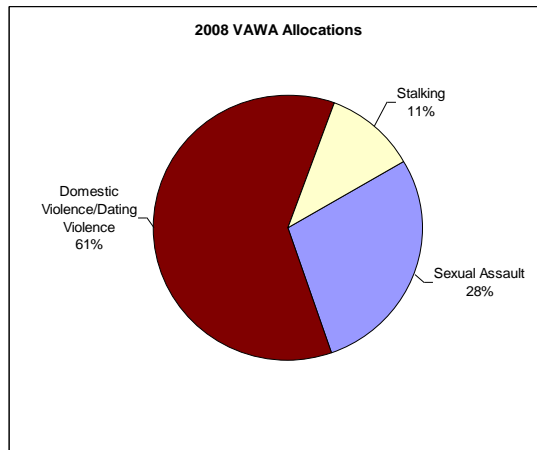
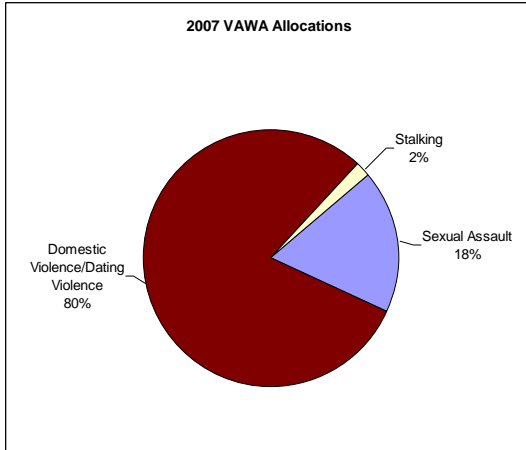
Although there are a limited number of **batterer intervention programs** (BIP) in North Carolina, they have provided more options for women, and women with children, where offenders are amenable to change and opportunity exists to live free from violence. Programs have reported that many women living with abuse will return to the relationship even after leaving. In addition, many women have children with the

perpetrator and are in shared custodial relationships. Batterer intervention programs provide another opportunity for safety where women sometimes do not perceive long term alternatives outside of residing with the abuser. The NC CFW certifies batterer intervention programs utilized by the North Carolina court system to assist batterers. From April 2007- March, 2008, the NC CFW certified seventy-nine programs statewide. To view an interactive map and get information about location and contact information regarding batterer intervention programs go to <http://www.nccfwdvc.com/programslist.htm>. For information about North Carolina courts locations and local programs go to <http://www.nccourts.org/County/Default.asp> . North Carolina recognizes that BIP programs are supported by VAWA funding provided that the programs are part of a graduated range of sanctions that use the coercive power of the criminal justice system to hold abusers accountable for their criminal actions and for changing their behavior. Couples counseling or any intervention that requires participation by a victim or that is not designed to hold offenders accountable for their violent behavior cannot be supported by STOP Violence Against Women Dollars; VAWA funding (*stop, FAQ*)

As **policy and funding recommendations** are made to the larger Crime Victims Services Committee, those same recommendations have the potential to evolve into legislative items to address violent crimes against women statewide. In 2009, a federal mandate required all states to provide victims' of sexual assault access to a forensic medical exam free of charge, regardless of their choice to report the crime to law enforcement. Following this mandate, recommendations were made to the CVS committee and then the full Crime Commission, to designate an Ad Hoc Committee to

further explore the need for change and how to meet the mandate and improve the delivery of services. Similar to the forensic compliance, any issue that may require a legislative change, a policy and/or process change can be created and implemented through a designated Ad Hoc Committee to the Governor's Crime Commission. Both domestic violence and sexual assault have been addressed through these processes and funding priorities outline the types of programs and services needed to address the issues identified through the planning process. The funding allocations reflect the funding priorities for past three years. Although the allocation to sexual assault has increased in the last three years, as stated in the previous plan, it remains a much smaller allocation than that of domestic violence.

The program allocations for 2007, 2008 and 2009 are as follows:



## IV. Plan Priorities and Approaches

### The Current Plan

#### **A. Identified Goals**

**GOAL:** To develop and strengthen North Carolina's criminal justice system responses to violence against women and to support and enhance services for victims.

<b>OBJECTIVE</b>	<b>PERFORMANCE MEASURES</b>	<b>DATA GRANTEE PROVIDES</b>
1) Strengthen partnerships for safer communities and enhance North Carolina's capacity to prevent, solve, and control violent crime against women	1) The number and types of programs that use a CCR approach in victim services, law enforcement, prosecution and courts to address violence against women	This information will be provided to OVW through annual progress report forms. Please see <a href="http://muskie.usm.maine.edu/vawamei/formstop.htm#dwnfrm">http://muskie.usm.maine.edu/vawamei/formstop.htm#dwnfrm</a> ] for a sample form.
2) Increase culturally appropriate, evidenced-based, field tested services to victims/survivors of domestic violence, dating violence, sexual assault and stalking	2) The number of victims receiving requested services; and the number of service providers supported by grant funding.	
3) Increase offender accountability through the courts with certified Batterers Intervention Programs (BIP)	3) The number of BIP programs through the courts and the number of criminal justice officials accessing	



<p><b>4)</b> Institutionalize ongoing training on violence against women issues for criminal justice officials and allied professionals.</p> <p><b>5)</b> Advise on policies and legislation that improve responses to violent crimes against women</p>	<p>training for BIP success.</p> <p><b>4)</b> The number of programs that incorporate training into their projects and the number of Criminal Justice agencies that develop policy to respond to the VAWA purpose areas</p> <p><b>5)</b> The quality of services and the systematic response to violence against women indicative of common understanding, laws and procedure.</p>	
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The above mentioned goals and objectives will be accomplished through the quarterly meetings of the DV/SA subcommittee/planning committee. Through committee work and outreach to experts, collaborative partners discuss what is needed to accomplish the objectives of the state plan. By establishing the criteria on which grant applications are reviewed, as well as, the types of programs and the level of service, the planning committee guides the process to meet the goals and objectives of the State Implementation Plan. Currently, the committee is meeting to discuss such processes as the application content for basic victim services, the fundamental service elements (what basic services must be provided to be eligible for funding), how to increase the number and program scope of law enforcement and prosecution applications and incorporate

training to counter turn-over, as well as, the needs of underserved populations and so forth.

The schedule to carry out funding activities follows the grant cycle timeline (**Attachment C**). The planning committee meets quarterly throughout the year to learn of the emerging issues. Priority recommendations and legislative recommendations are made during the summer months to the Crime Victims Services (CVS) committee. The CVS committee then finalizes the recommendations made during the summer meeting, along with the full commission, to prepare for grant writing in the fall and the convening of the legislature. Legislative recommendations are reviewed by the governor and the priorities for grant applications are posted. The application deadline is the last day of January and the Governor's Crime Commission begins their review of the applications using a scoring criteria (**Attachment D**) specific to each committee. After the review process is complete and recommendations for funding are made, the governor sends award letters. The Victim Planners of the NC Crime Commission provide technical assistance to the applicants. Once the process is complete, the actual projects and programs begin on July 1 of each calendar year. After programs begin, STOP funding provides reimbursements to programs on a monthly basis. Grants are awarded for two years.

### **Current Approaches and the future; Ways to Expand on the Past Implementation Plan**

The Governor's Crime Commission strives to build on the prior plan while remaining within federal guidelines. By expanding allowable program areas that are in agreement with VAWA and with committee input, literature review and research, the

applicant pool can grow to include more innovative approaches to address violence against women. By revisiting prior implementation plans, GCC planners can learn and analyze how well the plan represented the interests and needs of victims, allied professionals, and local governments in terms of access to services and availability to victims. As each subsequent implementation plan is created, the planning team will strive to include a representative sample of state service providers and government officials who have expertise in trends shown through committee input, literature and research.

### ***Current Approaches to Domestic Violence, Dating Violence, Sexual Assault and Stalking***

Based on the statistical data and field observation, future programs designed to meet the needs of victims with STOP funding, will encourage a balance of both evidenced-based approaches and promising practices. Allied professionals share that they have often experienced positive change by knowing the people they serve and finding the best approach or combination of approaches tailored to meet the needs of that community. The planning committee understands that researched and evidenced-based approaches may be considered optimum, but, field tested approaches have merit and warrant consideration. This is especially important for rural communities where evidenced-based approaches may be cost prohibitive due to lack of resources.

Considering these approaches to serving victims, professionals have historically witnessed an increase in survivor reporting and requests for services when survivors have access to appropriately needed services. These trends are comparatively similar to the evolution of increased reporting in domestic violence due to the increase in appropriate services and outreach. This can also be true for victims of sexual assault. Currently, the

planning committee has identified a need for an increase in appropriate services for victims' of sexual assault. Although the UCR shows the number of reported rape incidents as relatively unchanging, service providers are seeing a much different picture; increased number of crisis calls and a lack of appropriate response throughout the criminal justice system. Even with this general assessment, the program allocation for sexual assault remains much lower than for domestic violence. One way that North Carolina is addressing this disparity is through the continued application for Sexual Assault Services funding and through collaboration with The North Carolina Coalition Against Sexual Assault (NCCASA). Currently, The Governor's Crime Commission's Statistical Analysis Center, through the STOP Administrator, is assisting NCCASA with data to compare the number of prosecutions for sex crimes across the state. This may help to highlight the need for training of first responders to a system wide response. Perhaps through additional training, possible barriers such as cultural taboos and victim blaming can be countered by an increase in education and professionalism.

The planning team has the potential to positively impact the criminal justice system with regards to rape and sexual assault as it has responded to domestic violence; through policy, legislative support, community outreach, services and program development. The planning team, in addition to the crime victim's services committee, guides the funding priorities and makes recommendations to NC decision-makers to initiate change. Trend data and the lack of reports has been reported from the field as a need for criminal justice system change, as well as increased funding for training and programs. Although NC, through planning, has impacted positive change for victims of sexual violence through existing programs, such as SANE programs and crisis centers,

there is still a need for increased criminal justice system response. Since the criminal justice system is considered to be an outward reflection of the larger societal views of sexual violence against women, it is agreed by allied professionals that increased training and education to first responders is key. Law enforcement are the “gatekeepers” to the entire criminal justice process and charged with the greatest responsibility of recognizing and responding to women in situations of sexual violence, such as those who are sexually exploited. As law enforcement understand and respond appropriately to sexually assaulted women, they become a part of the normative change recognized by local communities.

In 2008 and 2009, NC developed a clear process for the collection and storage of DNA evidence through the Ad Hoc Committee to the Governor’s Crime Commission on Forensic Compliance. This has shown significant improvement for both anonymous victims (unknown to law enforcement) and reporting victims of rape and sexual assault who receive treatment from SANE nurses in hospitals and safe centers across NC. Sexual violence remains in need of strengthened legislation, greater funding and expanded provision of services and training. Based on past victim reforms, service providers predict that coordinated planning can impact the criminal justice system and service providers toward positive change. As laws are strengthened, funding priorities designated, programs enhanced, outreach, education and training increased, the underreporting of sexual violence can be impacted and perhaps increased.

Dating violence was addressed by the Planning Team and brought forth to the Crime Victim Services Committee. Service providers and allied professionals are reporting an increase in the number of young women being victimized through sexual

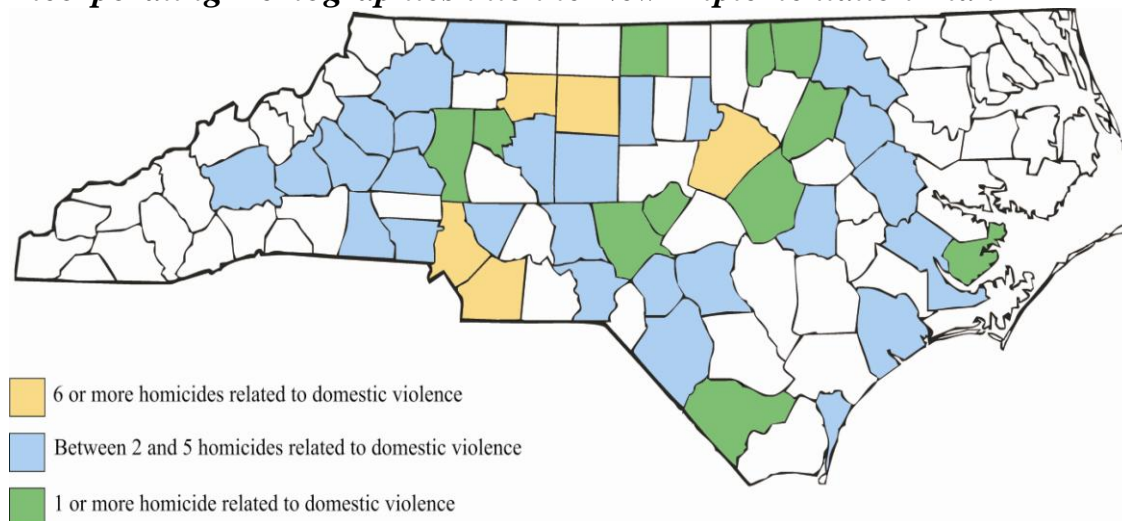
assault and other forms of intimate partner violence. The 2010 funding priorities currently address services to young adults as an underserved population.

Stalking was addressed in Senate Bill 617: Stalking Law Conforming Changes.

This bill makes conforming changes to NC statutes related to the enactment of the new stalking law last session. It was signed into law by the governor on June 5, 2009.

In recognizing that North Carolina is a state with varied demographics, the Governor's Crime Commission has identified culturally specific groups in need of services and provided funding to address victimization within the cultural context of that community. Specifically, outreach to South Asian women, Cherokee women, and Hispanic women have produced much needed services to these cultural groups in the form of direct client services in domestic violence, dating violence, sexual assault and stalking.

### ***Incorporating Demographics into the New Implementation Plan***



Although professionals regard violence against women as a problem that exists across cultural and socioeconomic boundaries, violence can sometimes be most pronounced in rural and economically depressed geographic locations due to a lack of

resources. Similar to this common observation, North Carolina also shows higher incidents of violence in the rural and economically depressed parts of the state. Yet some of the highest numbers of DV related homicides are in the more urban, densely populated areas of the state such as Mecklenburg/Charlotte area and Guilford/Greensboro area as well as Raleigh in Wake County. These higher incidents may be tied to a number of explanations: 1) availability of services to meet the need, 2) the need for a better coordinated community response to include prosecution and courts and/or 3) law enforcement's need for assistance with the number of cases they are responding to. Other explanations may be statistical or technical; the incidents are higher because more people live there or how information is shared and used to keep victims safe. These unanswered questions may have been the impetus for the establishment of the DV Fatality Review in Mecklenburg County (*see senate bill 381 in proceeding section; Recent Legislative Activity*). Rural discretionary funding through OVW has historically addressed many parts of the state in need of services to battered women and their children. These grants are highly competitive, but available for application by local governments.

In terms of geographic location and demographic information when examining domestic violence incidents across the state, Catawba County served the highest number of clients at the local level (2, 693) followed by Randolph County (2,690) and Wake County (1,449). Whites comprised 58% of the total number of clients served and Blacks comprised 24% of the total number clients served, while Hispanics accounted for 10% NC Council for Women/DV Commission. The demographic composition of NC as reported by the U.S. Census Bureau:

U.S. Census Bureau, North Carolina  
White persons, percent, 2008 (a)

NC	U.S.
73.9%	79.8%

Black persons, percent, 2008 (a)	21.6%	12.8%
American Indian and Alaska Native persons, percent, 2008 (a)	1.3%	1.0%
Asian persons, percent, 2008 (a)	1.9%	4.5%
Native Hawaiian and Other Pacific Islander, percent, 2008 (a)	0.1%	0.2%
Persons reporting two or more races, percent, 2008	1.2%	1.7%
Persons of Hispanic or Latino origin, percent, 2008 (b)	7.4%	15.4%
White persons not Hispanic, percent, 2008	67.2%	65.6%

When describing the past demographics of sexual assault in NC, Craven County served the highest number of clients at the local level in 2006-2007 report (523) followed by Buncombe (512) and Alamance (393). The majority of women served were white (63%) and the second largest group of women served were black (21%) (*NC Council for Women*).

It has been reported by program service providers, through committee discussion, that many ethnic, immigrant and minority groups are reluctant to seek services as the result of cultural taboos, lack of definition and fear of deportation. This can also have an impact on reporting rates. Although black women are reported by the council to be the second largest group victimized by both sexual violence and domestic violence, historically, they have not been provided culturally specific funding to address violence within the black community.

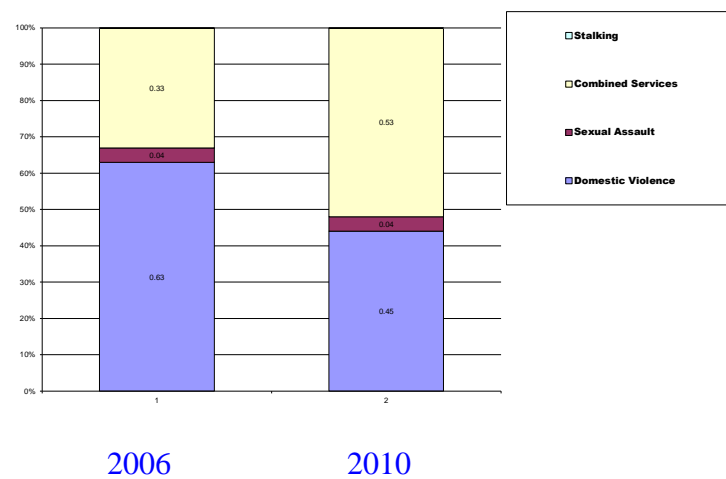
## **B. Relation to Prior Implementation Plans**

### ***Philosophical Shifts from the Prior Implementation Plan***

The following chart was incorporated to illustrate what was anticipated for the distribution of funding in 2010. According to the prior plan (2006), the planning team projected that the distribution of funding needed to reflect an increase from the Domestic Violence allocation alone to the “Combined Services” allocation (as illustrated below)



This was thought to meet the need for increased funding to sexual assault victims where both crimes of DV and SA were co-occurring at the time of victimization. It was also theorized that by increasing funding to agencies that serve both domestic violence and sexual assault victims, through combined services, that more sexual assault victims could be reached.



However, currently, although professionals do recognize that sexual assault can occur within a domestic violence context, or the reverse, they also recognize that there are differences in the treatment approach for DV and SA victims. Although both DV and SA service professionals require training to make appropriate referrals to one another, reports from the field indicate that victims of sexual assault may be better served by those who specialize exclusively in sexual assault services and domestic violence victims with programs that provide domestic violence services. Given these reports from the field, the implementation planning team will begin to explore how services are provided and their impact. The Crime Victims Services Committee may gather more information with

regards to the effectiveness of programs providing combined services to domestic violence and sexual assault victims to make future funding recommendations to the NC Crime Commission.

Further, victims have shared their experiences of receiving shelter or support services with service providers regarding the quality and effectiveness of the assistance they received. Based on shelter program outcomes, victims have reported what services they consider to be basic to their survival such as shelter services. Through focus groups of women in shelter, we have now learned that women may need additional services. For example, many women are accompanied by their children who also display signs of trauma and in need of services. The planning committee and allied professionals intend to build on the plan from previous years by increasing the standards of operation for shelters and programs based on past experiences and service outcomes. Some examples of increased standards of operation may be specific to the adherence of basic service fundamentals or recognizing the needs of women within the criminal justice system beyond the basic fundamentals. Another example of increasing the standard of service may be the importance of data sharing within the CJ system, to keep victims safe. Building on the past, to improve the response of law enforcement, the planning committee is focused on training, use of current technology, advocacy within law enforcement, the collaboration between the CVS committee and the CJI (Criminal Justice Improvement Committee) and the increased coordination of state resources. A re-evaluation of the past plans has allowed the planning committee the ability to have information available to others; to illustrate the need for certain strategies and/or approaches in combating violence against women.

Another major shift in focus for direct services is a specific focus placed on victims with disabilities. Based on past collaboration with The North Carolina Office on Disability and Health, The NC Coalition Against Domestic Violence (NCCADV) and the NC Coalition Against Sexual Assault, Service providers are now required to incorporate the Fundamental Elements of Accessibility into service provision. The Fundamental Elements of Accessibility (FEA) were created to improve the accessibility of domestic violence and sexual assault services. The FEA address communication, information, accessibility of services, the constructed environment, staff training and policies.

Another recent shift, as well as future focus, is on the victimization of teen girls and their need to access age-appropriate services. Through the request of service providers, who were seeing an increase in adolescent victims of dating violence, sexual assault, stalking and/or living in homes with domestic violence, a special funding priority was made available to focus on teen girls in 2009. It was apparent through the number and quality of applications that this should remain an area of focus for future STOP funding. Victim service providers welcomed the recognition that teen girls require specialized services, apart from the adult population, that meet their emotional and developmental needs. Programs in 2009 focused on advocacy, weekly groups and therapy to teen victims. They remain listed under priority D for underserved populations.

### ***Incorporating Key Findings from Local/ State Assessments and Legislation into the New Implementation Plan***

Programs, allied professionals, and most importantly, the victims served by both coalitions, concurrently identify access to legal assistance as one of the primary challenges and one of the most difficult areas of assistance to secure. A comprehensive

study found that providing legal assistance is the most effective intervention for victims of domestic violence because it helps them with practical matters, presenting real, long-term alternatives to their relationships (Amy Farmer & Jill Tiefenthaler, Explaining the Recent Decline in Domestic Violence, 21 Contemp. Econ. Pol'y. 158-72 (April 2003)). George Hausen, Executive Director of Legal Aid of North Carolina notes that "Victims have greatly diminished chances of getting the statutorily available ancillary relief (such as temporary custody, visitation and child support) in a Chapter 50B hearing without a lawyer at their side."

In 2005, the North Carolina Coalition Against Domestic Violence (NCCADV) distributed a survey to all the local domestic violence programs in the state regarding legal representation for victims of domestic violence, and 96.7% of the respondents indicated that access to legal representation was a barrier in their community. The survey also indicated that:

- a) In protection order hearings, victims had no attorney 50% of the time.
- b) Many victims do not pursue divorce or custody cases because of an inability to pay for an attorney.
- c) Only 38% of legal aid programs in the state can take protracted custody cases and only 15.4% can take divorce cases.
- d) Most communities, especially rural communities, do not have access to private *pro bono* attorneys.
- e) A majority of communities do not have access to attorneys for non-English speakers.

Legal Aid programs provide important services for victims throughout the state. There is *pro bono* representation for a small percentage of victims who need help. For the remainder who seek legal help, there is technical assistance through NCCADV and NCCASA and plain-language "translations" of legal information to assist victims who must proceed *pro se*. As the numbers presented above indicate, this leaves a huge gap in

services. The need for a comprehensive pro bono program, outreach, training and increased technical assistance far outweighs the current available services.

Many state assessments, researched and lead by the state's coalitions, in a collaborative effort with; the Governor's Crime Commission, state universities social science communities and state legislators, have resulted through legislative action or promoted legislative action to overcome the challenges faced by victims of domestic violence, dating violence, sexual assault and stalking.

The NC Coalition Against Domestic Violence also supported and provided technical guidance in the legislation found below: House Bill 115 which amends the domestic violence protective order statutes in response to the Supreme Court of North Carolina's decision in *State v. Byrd*, 363 N.C. 214 (May 1, 2009). This legislation provides that a "valid protective order" includes an "emergency" and "ex parte" order entered under G.S. Chapter 50B. NCCADV specifically assisted the legislative subcommittee working on the bill to clarify the roles and responsibilities of the NC Council for Women and The Domestic Violence Commission.

HB115 also supports the adoption of an automated statewide domestic violence protective order notification system. The Administrative Office of the Courts, in consultation with the Governor's Crime Commission and the North Carolina Attorney General's Office, will identify information in available databases relating to civil domestic violence protective orders, criminal no contact order conditions, and post arrest conditions of release. They will also determine the financial impact for implementing a system which would interface with the North Carolina Statewide Automated Victim Assistance Notification System. A report will be made to the Joint Legislative Committee

on Domestic Violence by February 1, 2010 (see section title “other statewide efforts”). These recent assessments and proceeding legislative changes can potentially impact the funding priorities for STOP dollars as a result of changing needs. The planning committee recognizes these changes. Recent Legislation continues in this section below.

### ***Recent Legislative Activity to Combat Violence Against Women***

HOUSE BILL 115, Joint DV Committee/Recommendations, amends the domestic violence protective order statutes in response to the Supreme Court of North Carolina’s decision in *State v. Byrd*, 363 N.C. 214 (May 1, 2009). This legislation provides that a “valid protective order” includes an “emergency” and “ex parte” order entered under G.S. Chapter 50B. The Byrd decision said such orders were not “valid protective orders.”

Effective July 24, 2009, law enforcement officers who have probable cause to believe a violation of an emergency or ex parte order occurred can arrest the violator. This applies even if the order was issued prior to July 24, 2009. However, a Temporary Restraining Order issued under Rule 65 of the Rules of Civil Procedure is not covered by the new law. Beginning December 1, 2009, any action for a domestic violence protective order requires that a summons be issued and served and requires the defendant to answer within 10 days of the date of service. Attachments to the summons must include the complaint, notice of hearing, any temporary or ex parte order that has been issued, and other papers. [For an analysis of these changes by School of Government faculty member John Rubin, see the online memorandum available at:

<http://www.sog.unc.edu/programs/crimlaw/Byrd2.pdf>. ]

Effective: July 24, 2009

HOUSE BILL 1812, Domestic Violence Cases/Review Criminal Record, was amended to remove the provisions related to civil domestic violence orders under G.S. Chapter 50B. The remaining language provides that when a criminal domestic violence case is begun and the defendant is before a judge for determination of the conditions of pretrial release, the judge shall direct a law enforcement officer or a district attorney to provide a “criminal history report” for the defendant that can be considered by the judge when

setting the conditions of release. This bill was approved by the House Ways and Means Committee and was scheduled for consideration by the full House. It passed with a vote of 112-0 and was enacted into law.

SENATE BILL 140, Protect Victims/Domestic Violence Shelters, makes it a felony for a person who is the subject of a valid protective order to trespass on property where the protected person resides when that property is operated as a safe house or haven for domestic violence victims. It has been enacted into law and signed by the Governor.

HOUSE BILL 1762/SENATE 1241, requests that the North Carolina Supreme Court establish minimum standards of domestic violence education and training for district court judges, and to encourage the University Of North Carolina School Of Government to provide domestic violence education and training for judges and magistrates, as recommended by the Joint Legislative Committee on Domestic Violence. This bill was approved by the House Judiciary II Committee and was scheduled for consideration by the full House on yesterday. It passed and was enacted into law.

HOUSE BILL 1403 was amended to remove the establishment of the missing person's DNA identification system as part of the state's current DNA database and DNA databank. The remaining language requires that a DNA sample be taken from any person arrested for committing certain offenses, to amend the statutes that provide for a DNA sample upon conviction, and to provide funding for the DNA database and databank. This bill was approved by the House Finance Committee and was scheduled for consideration by the full House yesterday. It passed on its second reading with a vote of 92-23 with a scheduled third reading.

HOUSE BILL 789, Enhance Protection of Victims and Witnesses, was amended to remove the previous language in this bill and to replace it with language that will increase the punishment from a Class H felony to a Class C felony for intimidating or interfering with a witness. This bill was approved by the Senate Judiciary I Committee and was

scheduled for consideration by the full Senate yesterday. It has passed both chambers, and was referred back to committee for further work.

HOUSE BILL 201, Add Division of LESS to CCPS, establishes the Law Enforcement Support Services Division within the Department of Crime Control and Public Safety and authorizes them to provide a variety of services, including: providing central storage and management of rape kits according to technical requirements for maintaining evidence and to meet the federal mandate of The Violence Against Women and Department of Justice Reauthorization Act of 2005. Specific protections were designed into the storage process to protect against the release of names of victims with anonymous rape kits.

Effective: June 11, 2009

HOUSE BILL 1255, Sex Offender/Permanent No Contact Order, allows, at the request of the district attorney, a judge at the sentencing hearing of a defendant convicted of a sex offense to issue a permanent order to prohibit the defendant for the rest of his life from having any contact with the victim in the future, if the judge determines that reasonable grounds exist for the victim to fear future contact with the defendant.

Effective: December 1, 2009

HOUSE BILL 1342, Free Medical Exam-Victims of Rape/Sex Offense, provides for the Assistance Program for Victims of Rape and Sex Offenses through the Department of Crime Control and Public Safety to reimburse hospitals and other medical professionals who provide forensic medical exams of victims of rape or sex offenses. The victim and victim's insurance is not to be billed. The SBI approved sexual assault evidence collection kits must be used.

HOUSE BILL 1464, Clarify DV Laws/Arrest/Valid Protective Order, makes it mandatory for an officer to arrest, with or without process, an offender when the officer has probable cause to believe the offender has violated a valid domestic violence protective order. This law is intended to overrule the case of Cockerham-Ellerbee v. The



Town of Jonesville, 176 N.C. App. 372 (2006) which held that the law did not require an arrest but left the decision up to the discretion of the officer.

Effective: July 31, 2009

SENATE BILL 381, Establish DV Fatality Review Team/Mecklenburg County, authorizes Mecklenburg County to set up a domestic violence task force comprised of local law enforcement personnel, an assistant district attorney, domestic violence service groups, personnel from the medical examiner's office, social services, mental health, the public school system and health care and a victim of domestic violence. The law provides for this group to review incidents of domestic violence resulting in a fatality after all civil and/or criminal litigation is completed and to make recommendations about handling domestic violence cases in the future.

The task force is given access to confidential information but they cannot reveal the confidential information. This law applies to Mecklenburg County only.

Effective: June 1, 2009

SENATE BILL 1062, Strengthen Domestic Violence Protective Orders/Pets, allows a domestic violence protective order to provide for possession, care or custody of an animal owned by any party or a minor child.

Effective: August 5, 2009

### ***Key Victims/Domestic Violence budget highlights and Legislation in 2010***

\$2.2 million in TANF funds to DHHS for FY 2010-2011 to provide domestic violence services to Work First recipients. These funds shall be used to provide domestic violence counseling, support, and other direct services to clients. They shall not be used to establish new domestic violence shelters or to facilitate lobbying efforts. Each county department of social services and the local domestic violence shelter program serving the county shall develop jointly a plan for utilizing these funds.

ESTABLISHED A PILOT PROGRAM FOR ELECTRONIC FILING IN DOMESTIC VIOLENCE AND CIVIL NO-CONTACT CASES IN ALAMANCE COUNTY -A pilot program for electronic filing in domestic violence cases is established in District Court District 15A. In order to implement the program, the chief district court judge in District Court District 15A may adopt local rules that permit the clerk of superior court for Alamance County to accept electronically filed complaints requesting Chapter 50B of the General Statutes ex parte domestic violence protective orders, and Chapter 50C of the General Statutes ex parte civil no-contact orders, that are transmitted from The Alamance County Family Justice Center. Expires June 30, 2012

\$375,000 in the Social Services Block Grant for the 2010-2011 fiscal year shall be allocated to the Division of Social Services to support community services provided by Children's Advocacy Centers for children who are victims of child abuse.

\$197,112 to Division of Public Health for services to rape victims as part of the Preventive Health Services Block Grant.

### ***Other Statewide Efforts and Resources That Address the Issue of Violence Against Women***

DELTA: The NC Coalition Against Domestic Violence was one of 14 state coalitions to receive funding through the Centers for Disease Control and Prevention to launch the Domestic Violence Prevention Enhancement and Leadership Through Alliance (DELTA) Program. The DELTA project is designed to increase state and local capacity to engage in and support activities that prevent first time perpetration of intimate partner violence. A key component of this work in North Carolina has been the development of a 10 year Plan to Prevent Intimate Partner Violence. The Plan lays out a

road map on the individual, organizational and institutional levels to prevent intimate partner violence. The Plan was developed by the State Steering Committee (SCC). The SSC is composed of key statewide stakeholders including NC GCC. The NC DELTA project works collectively with other DELTA states and the CDC to increase primary prevention of IPV on a national level. This work will represent a great step forward in North Carolina's efforts to prevent intimate partner violence. NCCADV will continue to collaborate with CDC, other DELTA cooperative agreement applicants, and the CDC-selected evaluation/training contractors to establish mutually agreed upon goals and objectives.

EMPOWER: Enhancing and Making Programs and Outcomes Work to End Rape is sister effort to the DELTA project. EMPOWER serves North Carolina through a grant funded to the North Carolina Coalition Against Sexual Assault through the Centers for Disease Control and Prevention. The CDC funded four Rape Prevention and Education States, including North Carolina, for the purpose of building individual and prevention system capacity for sexual violence prevention plans. Individual capacity includes knowledge skills, resources and motivation necessary to implement, evaluate and sustain strategies that are likely to lead to a reduction in the incidence of sexual violence. A sexual violence prevention system is the network of individuals, groups and/or organizations that, through their interaction, have the potential to enhance the primary prevention of sexual violence. Primary prevention is the cornerstone of the EMPOWER program. North Carolina is one of only two states (the other being North Dakota) that participate in both the DELTA and EMPOWER Projects.

### The North Carolina Human Trafficking Task Force and RIPPLE Recognition, Identification, Protection, Prosecution, Liberation and Empowerment

In 2008, the Governor's Crime Commission supported a grant application submitted to The Bureau of Justice Assistance by the Pitt County Sheriff's Office and NCCASA, to build upon a grassroots effort (RIPPLE) to combat the crime of Human Trafficking in North Carolina. In this effort, the GCC continues to assist with data-collection and statewide networking to assist in the reduction of sexually exploited women; adolescent girls and domestic women who are trafficked within the context of marriage, as well as, battered immigrant women.

### *State Initiatives Using Technology in the Delivery of Victim Services*

Unprecedented changes in the use of information technology are reshaping our personal activities, our community and organizational practices, and our social structures. Through technology, we are able to improve the criminal justice system by linking data that all too often, resides in silo systems or non-existing, for law enforcement officers, prosecutors, courts, victim service providers, and victims of crime.

Significant attention has been devoted over time to ensure that crime victims and survivors have opportunities to be active, engaged participants in their cases and in the overall justice process. A victim's right to notification and information (through NCSAVAN; state automated victim information and notification system) on their case has long been termed the "threshold right" from which all other victims' rights flow. The delivery of timely and accurate information both enhances the ability of victims to protect themselves and ensures they are able to fully participate in the criminal justice process, if they so choose. The State of North Carolina envisions the multi-agency and multi-

jurisdictional collaboration (CCR) among victim advocacy providers, justice professionals, and others to improve information sharing as an approach that supports safety, justice, and healing for victims.

In early 2008, the State was saddened with the unfortunate deaths of two university students. This much publicized event brought to the forefront the number of disparate data sources and lack of integration across North Carolina's Criminal Justice Continuum. In response to these events and in alignment with the BEACON Data Integration Strategic Plan, the North Carolina General Assembly directed the Office of the NC State Controller to develop and implement a Criminal Justice Data Integration Pilot Program in Wake County. This pilot project's goal is to provide criminal justice professionals with access to timely, complete, and accurate information for enhanced decision making. The pilot's objective is to provide integrated up-to-date criminal information in a centralized location via a secure connection for use by State and local government.

In response to this directive, CJLEADS, Criminal Justice Law Enforcement Automated Data Services, has been developed. CJLEADS integrates disparate criminal justice data into meaningful information which can be employed when making informed decisions related to the health and safety of citizens. In June 2010, the first generation of CJLEADS was brought on line. It included the integration of offender based information associated with NC criminal processes, court records, jail bookings, prison incarcerations and community correction periods of supervision. Subsequent phases include the integration of the remaining State criminal justice information systems and citizen information systems such as Division of Motor Vehicles driver licenses and vehicle

registrations, Concealed Handgun Permits and Wildlife licenses and vessel registrations. The long term vision is to incorporate access to the national criminal justice information via the CJLEADS portal.

The NC SAVAN program, as an integral part of this technology-based, coordinated community response (CCR), houses the state's consolidated jail booking information from all 96 county jails. In addition, it is the central place where information about federal and state victim rights, notification options, procedures and processes of the criminal justice system and victim resources are provided. NC SAVAN also provides a single point of shared services for victims anywhere in the state to learn about the status of an offender or the case against an offender, from the point of arrest, and incarceration through the disposition, release, and community supervision.

The state's effort to bring together technology, to serve criminal justice professionals and women, as survivors of violence, provides the foundation from which other victim services are improved. One specific example of the use of technology in the state's current efforts (see Alamance County Pilot-Electronic filing of Protective Orders; Budget Highlights) is the electronic filing, processing, service and notification of a protective order. The coordination of technology affects the manner in which protective orders are filed, the contents of the data therein, the delivery of the order, and the notification and safety of victims.

This is the premise behind the statewide Order for Protection and Enforcement Notification Service (OPENS) project, which is an enhancement to the state's existing statewide automated victim assistance notification program (NCSAVAN). The OPENS application is a digital protective order management and notification tool. By this we

mean, the application can manage the administrative flow of the protective order process from beginning to end, and it can provide telephone and email protective order notifications. Through technology, we hope to improve access and strengthen the enforcement of domestic violence protective orders.

### **C. Priority Areas**

The Crime Victims Services Committee met during the 2010 and each summer session thereafter, to finalize priority recommendations to meet the VAWA goals and objectives for 2010. Much of the committee work surrounded legislative agenda items, recommended additions to the funding priorities and emerging issues for committee consideration. The agenda included items such as: The NC Crime Victims Rights Act, Core (Basic) Service Outcome Recommendations, Restorative Justice for Victims, Batterers Intervention, Electronic Monitoring of DV offenders and Options for Victims, and Child Standards in Shelter.

The 2010 funding priorities are outlined in this section as they are viewed by applicants. Funding priorities are typically discussed during the crime victim services committee meeting and consider the current needs and recommendations from the planning team or DV/SA subcommittee. The CVS committee then brings the recommendations forth to the full crime commission to be discussed at the fall (October) meeting. Once the priorities are accepted by the full commission, they are posted for the public via the GCC website. Prospective applicants can then apply for funding accordingly. STOP funds are awarded through several funding priorities. They are primarily A, C, D and E. These funding priorities are anticipated to produce

programming that will meet the goals and objectives of STOP funding. They are inserted below.

## **2010 Crime Victims' Services Committee Program Priorities**

### **Mission Statement**

*The mission of the Crime Victims' Services Committee is to advocate for victims by promoting the development of effective programs that improve the response of human service professionals and the criminal justice system to crime victims.*

**All of the following program priorities are of equal importance, regardless of their order.**

### **A. Sexual Assault / Domestic Violence Services**

Sexual assault and or domestic violence services must be provided from an already established, nonprofit, non-governmental, domestic violence or sexual assault victim service agency. Proposals should be submitted by:

1. Dual programs that provide sexual assault and domestic violence services
2. Programs providing domestic violence services from within a shelter
3. Programs providing non-shelter domestic violence services
4. Programs providing domestic violence services, with a main office in one county and a satellite office in a neighboring county
5. Stand alone sexual assault service providers

Proposals should include a plan of action to provide core, crisis intervention services to sexual assault and/or domestic violence victims, including:

- Counseling services
- Information and referral services
- Crisis line operation
- Client outreach services
- Court advocacy services
- Therapy
- Shelter services

Consideration will be given to proposals:

- that include training conducted by North Carolina Coalition Against Domestic Violence (NCCADV), North Carolina Coalition Against Sexual Assault (NCCASA), North Carolina Victims Assistance Network (NCCAN), Office on Violence Against Women (OVW), Office for Victims of Crime (OVC), Council For Women (CFW), and/or Department of Health and Human Services (DHHS)
- that utilize a coordinated community response approach to serving victims such as a Multidisciplinary Task Force
- that collaborate with neighboring Child Advocacy Centers's (CAC's)

### **B. Child Abuse and Neglect Services**

Proposals should describe services that will enhance the delivery of services to child victims of physical or sexual abuse and/or neglect.

Consideration will be given to services:

- that are offered through accredited child advocacy centers (CAC's)
- that include evidence-based mental health treatment for children and their non-offending caretakers, particularly in underserved areas of the state
- that utilize a coordinated community response approach to serving victims such as a Multidisciplinary Task Force



### **C. Law Enforcement/Prosecutors' Offices/Court Officials**

Proposals should describe services provided by criminal justice professionals in Law Enforcement, Prosecution and/or Court for any of the following priority areas:

- Developing, training, or expanding, specialized units or victim assistant programs that target violent crimes against women, such as domestic violence, sexual assault, or stalking investigative or prosecutorial teams to include evidence-based prosecution.
- Victim Assistants who are placed in law enforcement agencies who serve as liaisons between victims of domestic violence, dating violence, sexual assault and stalking and personnel in law enforcement agencies to improve the enforcement of protection orders. These special victim assistants are also known as “Jessica Gonzales Victim Assistants”.
- Training to criminal justice system professionals (judges, prosecutors, law enforcement, probation officers, magistrates, clerks of court) on issues related to domestic violence, sexual assault, and stalking, which may include training on recent legislative recommendations from General Assembly.

Consideration will be given to proposals from communities that seek to provide a coordinated community response to domestic violence and sexual assault victims by:

- developing interagency protocols on effective response
- developing an advocacy council or task force to meet regularly to review current services/cases
- including training conducted by Office on Violence Against Women, Office for Victims of Crime, North Carolina Coalition Against Domestic Violence, North Carolina Coalition Against Sexual Assault, North Carolina Victim Assistance Network, Department of Health and Human Services, and/or SAVAN.

### **D. Underserved Crime Victims Services**

Proposals should describe services provided to a victim population(s) that is defined as “underserved”.

Underserved victims can be defined by the types of crimes they have experienced or by demographic characteristics. For the purposes of the Victims of Crime Act (VOCA) program, underserved victims can be defined as:

- victim groupings that have been overlooked in the past, yet deserve equal or special consideration and services. Examples include but not limited to those such as: victims with mental disabilities/disorders, teen victims, elderly victims, etc
- underserved victims may be further distinguished by:
  - Crime type. Examples include but not limited to those such as: violence against teens, homicide survivors, elder victims of abuse, victims of assault, robbery, gang violence, hate or bias crime, impaired driving (intoxicated) drivers, aggressive drivers, bank robbery, economic exploitation, fraud, and/or human trafficking, etc
  - Demographic characterizations. Examples include but not limited to those such as: racial or ethnic minorities, senior citizens, non-English speaking residents, persons with physical or mental disabilities/disorders or the geographically isolated (rural or remote areas)

Consideration will be given to proposals that:

- address services to victims of any crime.
- including training conducted by Office on Violence Against Women, Office for Victims of Crime, North Carolina Coalition Against Domestic Violence, North Carolina Coalition Against Sexual Assault, North Carolina Victim Assistance Network, Department of Health and Human Services

- utilize a coordinated community response approach to serving victims such as a Multidisciplinary Task Force

### **E. Other Sexual Assault/Domestic Violence Services**

Projects in this area may come from other non-profit agencies that provide services to sexual assault or domestic violence victims besides the sexual assault or domestic violence victim service providers in each county recognized by the N.C. Council for Women/DV Commission.

Programs should address enhanced services to domestic violence and sexual assault victims beyond the scope of core services, such as:

- Specialized Mental Health Services
- Sexual Assault Nurse Examiner (SANE) services
- Transitional Housing
- Supervised Visitation
- Legal Service agencies that provide pro bono legal assistance

Consideration will be given to proposals:

- that include training conducted by North Carolina Coalition Against Domestic Violence, North Carolina Coalition Against Sexual Assault, North Carolina Victim Assistance Network, Office on Violence Against Women, Office for Victims of Crime, Council For Women, and/or Department of Health and Human Services
- that utilize a coordinated community response (CCR) approach to serving victims such as a Multidisciplinary Task Force

### ***Allocations to the LE, PRO, VS, Discretionary***

Violence Against Women Act (VAWA) Funding Amounts (1995-2010)

<b>Year</b>	<b>\$ Awarded to North Carolina</b>	<b>Number of Grants Funded</b>
1995	\$ 426,364.00	11
1996	\$ 2,964,000.00	43
1997	\$ 3,332,000.00	68
1998	\$ 3,447,000.00	60
1999	\$ 3,517,000.00	61
2000	\$ 3,350,000.00	55
2001	\$ 2,803,000.00	36
2002	\$ 3,386,000.00	34
2003	\$ 3,363,000.00	38
2004	\$ 2,974,000.00	21
2005	\$ 3,022,000.00	29
2006	\$ 3,199,568.00	24
2007	\$ 2,816,203.00	24
2008	\$2,984, 679.00	20

2009	\$3,286,934.00	20
2010	\$3,658,374.00	28
<b>ALL YEARS</b>	<b>\$48,530,122.00</b>	<b>572</b>

Of each year's total award, funding must be distributed as follows:

- 30%** Domestic violence/sexual assault service providers
- 25%** Law Enforcement (programs through corrections)
- 25%** Prosecution
- 15%** Discretionary
- 5%** Courts (programs through corrections)

### **VAWA Funding Summary**

- **62 Law Enforcement** agencies have received funding to support the development of domestic violence and/or sexual assault units – (40 counties)
- **24 District Attorney's** offices have received funding to support a dedicated domestic violence or sexual assault prosecutor (38 counties)
- **67** Domestic Violence/Sexual Assault service providers have received funding to support core services to victims
- **Legal Aid Offices** – Pisgah Legal Services, Legal Aid of Northwest, Legal Services of the Southern Piedmont, Legal Services of the Lower Cape Fear, North Central Legal Aid to provide legal representation to domestic violence victims
- **State Agencies** – Council for Women/DV Commission, Administrative Office of the Courts, Department of Correction, Governor's Crime Commission
- **Coalitions** – North Carolina Coalition Against Domestic Violence, North Carolina Coalition Against Sexual Assault

The Violence Against Women Act (STOP) funds are statutorily required to be allocated to victim services, law enforcement, prosecution, court, and discretionary categories. The VAWA administrator must continue to develop these program areas within the context of federal guidelines to ensure that the percentages are met.

Since GCC is a competitive process, outreach and training is needed to ensure that each allocation shows a wide applicant pool. As the Governor's Crime Commission staff travel throughout North Carolina to provide technical assistance in grant writing, community meetings will be held to obtain input from citizens and service providers as to their experiences with crimes against women in their community.

The planning staff and planning committee expect to find additional challenges to accessing services in the rural communities of North Carolina. Based on the demographic information provided in the needs statement, although rural communities may be smaller in population size, they can often experience greater poverty and limited resources to confront violence against women. As grant applications are awarded, geography with respect to rural and urban locations, often play a key role in committee discussion and funding decisions after the scoring process is complete.

### ***Examples of types of programs and projects STOP support***

Some of the programs funded through GCC include but are not limited to:

- Victim Witness Legal Assistants
- Victim Advocates in Law Enforcement
- Specialized Law Enforcement Units
- Specialized Prosecution
- Specialized Probation
- Specialized Courts
- Specialized Teen Services
- Training initiatives and Tools
- VAWA Resource Prosecutor (statewide)
- Specialized Investigators
- Therapeutic Services
- Transitional Housing
- Shelter services
- Supervised Visitation
- Batterer's Intervention Programs
- Rape Crisis Centers
- Sexual Assault Nurse Examiners
- Sexual Assault Response Teams

Coordinated Community Response Teams  
DV/SA Task Forces  
Equipment and contractual services to support these positions  
Technology to support Law Enforcement/Courts

### **D. Grant Making Strategy**

The process of administering the VAWA funds begins with meetings of the Victims Services Committee (which serves as the Implementation Plan Team) throughout the year to identify and discuss the needs and service gaps facing victims of DV, dating violence, SA, and stalking. After these needs and service gaps have been identified, the Team develops program funding and/or legislative strategies to target the identified priorities. Legislative priorities address victimization needs through drafting legislation in the form of bills, system changes, or policies.

The program funding priorities delineate the top issues that the committee or planning team hopes to address during the upcoming year. Each October, the program funding priorities are defined in an announcement of the availability of funds distributed to non-profit victims services agencies, law enforcement agencies, prosecutors, legal services agencies, schools, colleges, universities, and state government agencies across the state.

In late October/early November of each year, the Governor's Crime Commission staff members conduct a series of regional grant-writing workshops. Crime Commission staff assist applicants in solidifying their proposal ideas and increasing their understanding of the types of programs the commission hopes to support. Staff also routinely makes site visits to first-time applicants to provide technical assistance with grant writing.

VAWA applicants are provided with technical assistance, such as written and verbal instruction, on how to submit a well-written application. The highest priority is given to proposals from areas of the state with the greatest need and those proposals targeting underserved victims. Every applicant is aware of the priorities of each committee that they are applying to and must submit a pre-application defining the intent of their project as it relates to the priorities. VAWA grant pre-applications must be received by the Governor's Crime Commission by January 31, of each year.

GCC staff reviews the applications before the CVS committee meets to ensure that the project is fundable under VAWA federal guidelines. Every proposal is then forwarded to each Victims Services Committee member for scoring. Reviewers are asked to review and score pre-applications based on project merit not on whether the project is best funded with the funds managed by the Victims Services Committee, VOCA, and VAWA funds. Once the applications are approved, it is staff's role to determine which funding source administered by the Governor's Crime Commission best meets the project definition and goals. For example, a pre-application could be submitted to the Victims Services Committee, yet be more closely tied to the Criminal Justice Improvement Committee. Again, this occurs to maximize funding opportunities to sub-grantees across the state, thus creating a situation where more funding is available to address VAWA-specific goals and program funding priorities.

Every pre-application is individually scored on-line in several categories. The on-line scoring program totals the reviewers score sheets and compiles that information into a spreadsheet that maintains the confidentiality of individual reviewer's scores. Since confidentiality is maintained on individual reviewers' scores it is believed that reviewers

will be more likely to score based on merit and not on peer pressure or other pressures that result in a competitive grant process. Once all scores are submitted on-line, the pre-applications are divided based on score and then scored within each Program Funding Priority. The committee members meet for a day to review the rank and discuss each pre-application. At the end of the review process, the Crime Victims Services Committee recommends the pre-applications selected for funding consideration. The CVS Committee pre-application recommendations are then forwarded to the Executive Committee of the Governor's Crime Commission, the Departmental Secretary, and the Governor for final approval.

Prospective sub-recipients are notified as to whether their pre-application was selected to submit a full application in late March. Notification of approval to submit a full application is accompanied by a "special conditions" letter drafted by GCC staff. This special conditions letter details federal funding requirements and recommendations for programmatic and/or budgetary changes to ensure that sub-grant proposals are within the scope of the federal funding source as well as state guidelines. Full applications are due on April 30 and upon arrival they are reviewed again by GCC staff to ensure corrections were completed and the final grant is ready for funding.

In early June, the staff of the Commission holds a series of Grant Award Workshops across the state prior to project implementation to inform sub recipients of their grant award responsibilities. Most grants begin on July 1 and end June 30. A timeline for the S.T.O.P. grant making process can be found in the attachments (Attachment C).

The award of “off-cycle” sub-grants are also based on identified need. Generally, unfunded applications submitted during the regular grant cycle are considered first for off-cycle funds, however, occasionally an urgent need occurs in a community and applications are considered that did not come in under the regular grant cycle. Funding requests are reviewed by the Governor’s Crime Commission Planning and Grants Management staff. Those requests approved by the planning and management staff are forwarded to the Executive Director of the Governor’s Crime Commission for approval to submit a full application for project consideration. Once a full application is received, GCC staff review it for allowable costs and activities. The application is then forwarded for approval by the Executive Director of the Commission and the Secretary of the Department.

The VAWA Implementation Planning Team strives to continue to improve the process by which the VAWA/STOP Formula Grant funds are administered. VAWA Implementation Plans undergo continued evaluation to ensure that they are fair in process and method by which VAWA funds are managed and distributed.

### ***Methods used for solicitation and review of proposals***

Each year, the Governor’s Crime Commission brings the grant application process to the local community through area workshops. These workshops are held in the fall to provide non-profits and local governments an opportunity to interact with the planning staff, as well as, the grant management specialists. Just prior to these workshops, an announcement is sent to former recipients of federal awards and many other groups who may be interested in applying. In addition to past sub-recipients, invitations are sent to current grantees, crime commission members and their local



communities, all county commissioners, county managers, congressional district representatives, the NC Center for Non-profit Organizations, city managers and mayors and through the Crime Control and Public Safety Public Affairs Office who forward a press release to newspapers that span the state. As a recent response to travel and budget difficulties, the grant writing workshop was recorded by Crime Control and Public Safety's Information Technology Division. This will be a tremendous service to those are unable to attend, but, are interested in submitting a strong application. All documents can be retrieved from the Governor's Crime Control website [www.ncgccd.org](http://www.ncgccd.org)

### ***Timeline for STOP grant cycle***

The Governor's Crime Commission typically awards grants for two years of funding in one year increments. Sub recipients must request their second year of funding by April 30th during the first year of funding. Sub recipients should confirm their award amount and years of funding by thoroughly reviewing their grant award. The NC Governor's Crime Commission grant cycle is from July 1st through June 30th. See attachment C

#### **E. Addressing the Needs of Underserved**

Underserved victims as defined by the Violence Against Women Act:

The set-aside may address "underserved populations" as defined in VAWA 2005, which include "populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs such as language barriers, disabilities, alienage status or age and any other population determined to be underserved by the Attorney General[.]"42 U.S.C. § 13925(a)(33).

As part of the state's outreach efforts, The North Carolina Governor's Crime Commission has a specific funding priority, set forth in the state's solicitation, for programs that target underserved victim populations. It is posted on the GCC website and describes the populations outlined by VAWA. In addition, The DV/SA planning team continually works to gather information from programs that help to identify underserved populations; their characteristics, location and needs. New underserved populations are continually being recognized. Teen victims have been discussed by the committee to have unique programmatic requirements. Since services provided to adult victims of domestic violence do not meet the developmental needs of teen victims, a more specialized approach is required. Further, more frequent reports of runaway teens and homeless teen girls, have given rise to discussion beyond dating violence to sexual exploitation such as sexual violence associated with gang recruitment and prostitution.

We have added new members to the planning group as a direct result of that information gathering effort. The following represent underserved populations on the planning team:

Asian Community – Ritu Kaur

Eastern Band of Cherokee – Katina Colbert

Disabled Community – Pam Dickens

Latino Community – Ilana Dubester

Direct Victim Service Professionals/Rural – Lin Rudolph

The planning team is diverse and growing according to trends found in violence against women.

***Underserved based on geography and the availability of resources***

One of the strengths of the Governor's Crime Commission is the close working relationship it shares with The Coalitions; both NCCADV and NCCASA, and the NC Council for Women through the NC Department of Administration. The NC CFW is a women's advocacy agency with the North Carolina Department of Administration that a) Administers state DV/SA funding, b) Monitors county DV/SA programs, and c) educates law makers, advocates and the public on women's issues. Sharing program information with Council for Women, in conjunction with GCC grants managers, and other members of the team, assists in determining populations being served, size of populations, location, and the availability and accessibility of services as it relates to the equitable distribution of funds. This can only be successfully attained through communication with CFW regional directors, funded by the state, the coalitions, who have a state-wide perspective, as well as, communication with GCC grants management specialists. Census data as well as university data also provides a starting point to explore the additional needs of the local community; both urban and rural.

Further the Crime Victim's Services Committee (grant review committee to the crime commission) recognizes that VAWA funded programs require more input and guidance from the planners regarding geography and demographic information of underserved populations. One area in particular, is the cultural and linguistically specific allocation of Victim Services. Through committee work, planners play a vital role in assisting commissioners, by providing information on what services are needed, where services have been successfully implemented, past awards, information on population to be served and so on. This information is critical to the Crime Commission while engaged in the decision-making process. Having an over-arching view of the state helps them to

consider equitable distribution across many jurisdictions. Utilizing census data is another way to identify population densities as well as the geographic location of various cultural groups in North Carolina. Another way to recognize and respond to the need for specific services is from information provided through The North Carolina Coalition Against Sexual Assault; NCCASA and the North Carolina Coalition Against Domestic Violence; NCCADV. As these two agencies provide the majority of training to local programs, in turn, those same programs also identify the needs of the local community in the form of requests for training and ways to leverage services to increase capacity. Often times, training needs are communicated to the coalitions to reflect the needs of the local community and shifts in the demographics of those communities. Another means of identifying cultural groups, to ensure the equitable distribution of funds, is by examining global economies and global violence and the effect it can have on local people; who they are and how they earn a living. Extreme poverty and cultural norms abroad have increased the need for the investigation of and services for sexually exploited women (internationally trafficked) and battered immigrant women. Global economies affect the movement of different groups of people to and from various parts of NC. Another current example of underserved populations, focused on by the planning team, is victims in need of trauma-informed mental health services. In general, planning with coalition members and community members, bring community needs forth to share with the whole team.

### **F. Barriers to Implementation**

Some barriers to implementation were determined by the planning committee to be the state of the local economy, training, infrastructure to manage funds, collaboration and increase in population and need for services.

The planning team identified that the loss of employment has also diminished contributions in the way of donated goods and services to local programs. In addition, this has affected matching funds for programs, and above all else, a possible increase in violence. Many speculate that the stress of economic depression has escalated the tendency for those prone to violence and diminished the resources/jobs available to women who seek shelter or to leave.

A lack of training is a barrier because the criminal justice system must work together in order to have a coordinated community response. Each discipline must have a basic understanding of the other in order to recognize the many needs of victims. GCC is working to provide training opportunities free of charge to programs and local governments as well as fostering ongoing relationships between sub recipients through MOU's.

Staff turnover and infrastructure of local governments can often pose a challenge to managing federal funding. Reports and accurate record keeping require consistent staff and staff that can lean on local governments to assist with training and resources to manage federal funding.

Another barrier may be where a community does not fully coordinate with other service providers and local governments in the leveraging of services and resources. In this situation, GCC can act as a mediator to assist in linking programs and services.

In addition to employing VAWA funds to address strategies and goals, the planning staff of the Crime Commission, coordinate the use of Victims of Crime Act (VOCA) funds, Edward Byrne Memorial State and Local Law Enforcement Assistance Program (Byrne) funds, state funds administered through the NC CFW, the Department of Health and Human Services, United Way funds, and whenever possible, private funding. While some of these alternative funding sources are limited, it is important to recognize and take advantage of every resource available to assist victims' of domestic violence, dating violence, sexual assault, and stalking.

### **G. Monitoring and Evaluation**

Success of grant-funded activities will be evaluated a number of ways. One way, is to review expenditures with the grant manager/community development specialists, who are on-site at the Governor's Crime Commission. Working together with grant managers can reveal if programs are reaching their goals and objectives, serving intended populations and following their own proscribed time-line. Another way is to evaluate through on-site visits, reviewing cost reports for appropriate reimbursements, examining progress annual reports, and considering community responses to services, as well as, victim responses after services rendered; such as exit interviews. Periodic requests for survivor accounts of response and services (with confidentiality in mind) can lend a snapshot into the daily activities of programs.

One way that programs can determine if they met their overall goal(s) and clients were served is by making program assessment tools available. In 2007, a survey was submitted to the state's domestic violence and sexual assault programs by The School of Social Work at The University of North Carolina Chapel Hill. The survey conducted

focus groups with former clients of domestic violence and sexual assault agencies to obtain their perceptions on the types of information domestic violence and sexual assault service providers should gather to 1) better understand clients' needs and goals, and 2) assess clients' progress, and in meeting needs and achieving their desired program outcomes.

As a result of these focus groups, UNC faculty developed and drafted instruments for use by domestic violence and sexual assault service providers to assess incoming clients' needs and goals, and to assess clients' progress toward meeting their needs and achieving their goals. These assessment tools will be available to programs in the summer of 2011.

UNC survey outcomes from this project will be very helpful to direct service providers in North Carolina's domestic violence and sexual assault agencies. The instruments and findings of this project will help providers with strategies to both assess the many needs and goals of their clients, as well as examine the impact of the services that their agencies provide.

## **IV Conclusion**

The Violence Against Women Act (VAWA) provides Federal Funding to the state of North Carolina to serve women who are victims of violent crime. It is also referred to as STOP violence against women funding and is available to programs and government entities who serve victims of domestic violence, dating violence, sexual assault and stalking. The funding provides for positions and activities that improve the response of law enforcement, prosecution, courts and service providers for a coordinated approach against violence. This funding is available to local communities through a

competitive grant process and awarded by the Governor of North Carolina through the Governor's Crime Commission. The Governor's Crime Commission is entrusted to administer the federal VAWA funds according to federal laws, state laws, policies and guidelines. The VAWA Administrator is primarily responsible for the state's compliance with the act, the appropriate allocation of the funds, technical assistance needed to local programs and all federal reporting. The administrator responds as the state's point of contact for the Office on Violence Women regarding STOP funding and can support local programs with discretionary grant needs through local governments.

Planning for VAWA funds through the establishment of funding priorities requires regular updates from field professionals that guide the decision making process of the commission based on; current needs, trends, legislation, the effect of local policy, local assessments, research and literature review and key findings. The NC Crime Commission sets funding priorities and makes grant recommendations to the governor based, not only on the information mentioned above, but also, from the expertise that exists within the crime commission itself and the disciplines they represent from across the state.

The goal for the use of STOP funding is to develop and strengthen North Carolina's Criminal Justice System responses to violence against women and to support and enhance services for victims. To reach this goal, program development should involve ways to strengthen a coordinated community response through technology and partnerships, through an increase in culturally appropriate, evidenced based/field tested services, with an increase focus on offender accountability through Batterer Intervention Programs, and also, by finding ways to sustain ongoing training on emerging violence



against women issues with education that is conducive to both professionalism and successful program outcomes. Finally, to reach the goal of this plan, the NC Governor's Crime Commission will act as an advisory body to the governor on issues regarding violence against women.

In order for programs to demonstrate success and continued funding, barriers to program implementation should be addressed on an ongoing basis. Program barriers can be shared with the VAWA administrator and/or grants management specialist. To ensure continued funding to the state of North Carolina, barriers, specific to internal processes; such as administrative barriers or compliance issues, should be addressed by requesting technical assistance from the Office on Violence Against Women. Grant monitoring and process evaluations are an important part of preventing and addressing barriers to implementation.

The Violence Against Women Act places special emphasis on underserved populations in consideration that these are often the most vulnerable populations. This plan is intended to be inclusive of underserved populations and recognizes that additional outreach is often needed in identifying new populations. The planning committee invites those serving victims to continue to share information in this outreach.

In closing, this plan has been created as an informational tool to assist those who receive VAWA (STOP Violence Against Women Act funding), as well as, discretionary funding provided directly to local government entities across North Carolina. It is updated every three years and can be amended as needed.